

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
PENNSYLVANIA**

KERRY X. MARSHALL,

Plaintiff,

V.

TOM CORBETT, JOHN WETZEL, JOHN
DOE #1, ANDREA PRIORI-MEINTEL,
ULLI KLEMM, CRAIG COOPER,
MARGARET GORDON, MARCIA NOLES,
RANDY MCELRAVY, MICHAEL
MICHLIN, JEFFREY DITTY, LYDIA
HALE, ADEEB RASHEED, JODY SMITH,
DORINA VARNER, BRIAN COLEMAN,
JOHN DOES #2-7, and DEBRA
HAWKINBERRY,

Defendants.

Civil Action No. 14-1210
District Judge David S. Cercone
Magistrate Judge Maureen P. Kelly

Re: ECF No. 85

ORDER OF COURT

AND NOW, this 20th day of February, 2024, upon due consideration of the Report and Recommendation of the Magistrate Judge of January 12, 2024, addressing plaintiff's failure to substitute a proper party after receiving notice of the death of defendants Lydia Hale and Michael Michlin, and after *de novo* review of the record, IT IS ORDERED that all claims against defendants Lydia Hale and Michael Michlin be, and the same hereby are, dismissed.

The [85] Report and Recommendation of the Magistrate Judge is adopted as the opinion of the court.

s/David Stewart Cercone
David Stewart Cercone
Senior United States District Judge

cc: The Honorable Maureen P. Kelly,
United States Magistrate Judge

Kerry X. Marshall
5514 Walnut Street, 2nd Floor
Philadelphia, PA 19139

All counsel of record via CM/ECF.